

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DAVID B. GRECU,

No. C-07-0780 EMC

Petitioner,

v.

**ORDER DENYING PETITIONER'S  
MOTION FOR A CERTIFICATE OF  
APPEALABILITY**

M.S. EVANS, WARDEN,


(Docket No. 122)

Respondent.

On October 22, 2014, this Court issued an order denying Petitioner's petition for habeas corpus. In that order, the Court failed to indicate if it was issuing or denying a certificate of appealability, and Petitioner has now filed a motion for issuance of a certificate of appealability. *See* 28 U.S.C. § 2254, R. 11(a) ("The district court must issue or deny a certificate of appealability when it enters a final order adverse to the applicant.").

A certificate of appealability will not issue. *See* 28 U.S.C. § 2253(c). This is not a case in which "reasonable jurists would find the district court's assessment of the constitutional claims debatable or wrong." *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

Dated: November 13, 2014

  
EDWARD M. CHEN  
United States District Judge